

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference TEA-4006-PCT		FOR FURTHER ACTION	See Form PCT/IPEA/416																								
International application No. PCT/JP2004/006492	International filing date (day/month/year) 07.05.2004	Priority date (day/month/year) 12.05.2003																									
International Patent Classification (IPC) or national classification and IPC																											
Applicant TEAC CORPORATION																											
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <table border="0"><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>				<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand		Date of completion of this report																									
Name and mailing address of the IPEA/JP		Authorized officer																									
Facsimile No.		Telephone No.																									

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☒ the international application as originally filed/furnished
- ☐ the description:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

- ☐ the claims:
- nos. _____ as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* _____ received by this Authority on _____

nos.* _____ received by this Authority on _____

- ☐ the drawings:
- sheets _____ as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	2-6	YES
	Claims	1	NO
Inventive step (IS)	Claims	2, 4	YES
	Claims	1, 3, 5, 6	NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)**Claim 1**

Document 1 (JP 03-152614 A (International Business Machines Corp.), 28 June 1991, page 5, upper right column, line 1 to lower left column, line 8 and fig. 6 to 9) discloses a single disk device that has been disposed within a half-height drive bay, and discloses a configuration wherein screw holes (400 and 405) are provided in both of the side surfaces of said disk device. As a result, the invention that is set forth in claim 1 constitutes one portion of the disk device that is disclosed in document 1; therefore, the invention in question lacks novelty and does not involve an inventive step.

Claim 2

Document 1 (JP 03-152614 A (International Business Machines Corp.), 28 June 1991, page 5, upper right column, line 1 to lower left column, line 8 and fig. 6 to 9) and document 2 (JP 3061507 U (Zuiden Kagi Ko ▲ Fun ▼ Yugenkoshi), 16 June 1999, paragraph [0010] and fig. 2 and 4) define the general state of the art of the technical field in question, and disclose both a

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citations and explanations supporting such statement

structure wherein a single disk device has been provided within a half-height drive bay and a structure wherein a set of disk devices that comprises a floppy disk device and an optical disk device has been mounted within a frame cabinet. However, the technical feature of integrating the bottom plate surface of the housing for the first disk device and either the top plate surface or the bottom plate surface of the housing for the second disk device by means of a linking member and then mounting the resulting structure within a half-height drive bay is not disclosed or suggested in either document 1 or document 2.

Claim 3

Document 2 (JP 3061507 U (Zuiden Kagi Ko ▲ Fun ▼ Yugenkoshi), 16 June 1999, paragraph [0010] and fig. 1, 2 and 4) discloses a disk device that is configured by integrating a set of disk devices that comprises a floppy disk device and an optical disk device and then mounting the set of disk devices within a frame cabinet; therefore, it would have been obvious to a person skilled in the art to mount the disk device that is disclosed in document 2 within the drive bay of the disk device that is disclosed in document 1.

Claim 4

Documents 1 and 2 define the general state of the art in the technical field in question, and disclose both a structure wherein a single disk device has been provided within a half-height drive bay and a structure wherein a set of disk devices that comprises a floppy disk device and an optical disk device has been mounted

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

within a frame cabinet. However, the technical feature of integrating a pair of disk devices so that the bottom plate surfaces thereof are positioned opposite one another and then mounting the resulting device is not disclosed or suggested in either document 1 or document 2.

Claim 5

Document 2 discloses a disk device that is configured by integrating a set of disk devices that comprises a floppy disk device and an optical disk device and then mounting the set of disk devices within a frame cabinet; therefore, it would have been obvious to a person skilled in the art to mount the disk device that is disclosed in document 2 within the drive bay of the disk device that is disclosed in document 1. In addition, it would also have been obvious to a person skilled in the art to configure so that the form factor of each disk device is half the size of the half-height drive bay at that time.

Claim 6

Document 3: JP 2002-124063 A (Sony Corp.), 26 April 2002, paragraphs [0020] to [0076] and fig. 1 to 4

Document 4: JP 06-243670 A (Funai Electric Co., Ltd.), 02 September 1994, entire text and fig. 1 to 4

Document 3 discloses a tray-loading optical disk device that has been disposed within a half-height drive bay, and document 4 discloses a disk device wherein buttons for opening the door in order to insert or remove

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the disk medium are provided on both the left side and the right side of the device body in order to improve the operability of the device in question.

As a result, it would have been obvious to a person skilled in the art to employ the configuration that is disclosed in document 4, wherein buttons for opening the door are provided on both the left side and the right side of the device body, in the optical disk device that is disclosed in document 3.